

19-10-102 Definitions.

As used in this chapter:

- (1) "Environmental institutional control" or "institutional control" means with respect to real property, any deed restriction, restrictive covenant, easement, reservation, environmental notice, engineering control, or other restriction or obligation that is designed to protect human health or the environment and:
 - (a) is established in connection with a cleanup or risk assessment that is reviewed, overseen, conducted, or administered by the department; and
 - (b)
 - (i) limits the use of the real property, groundwater, or surface water;
 - (ii) limits activities that may be performed on or at the property; or
 - (iii) requires maintenance of any engineering or other control.
- (2) "Executive director" means the executive director of the state Department of Environment Quality or the executive director's designated representative.

Enacted by Chapter 44, 2003 General Session